IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINETEENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

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WRIT PETITION NO : 14694 of 2004

Between:

Mettu Ramgopal Reddy, S/o. Chenna Reddy,
Turakapalem, Hamlet of Nallapadu, Guntur.

..... PETITIONER

AND

1 The District Collector, Guntur District, Guntur.
2 The Revenue Divisional Officer, Guntur Division, Guntur.
3 The Mandal Revenue Officer, Guntur Mandal, Guntur.
4 Dodda Marianna, S/o. Late Polaiah,
Nalapadu, Guntur.
5 Namburu Raghunatha Rao, S/o. N. Nageswara Rao,
D.No. 11-2, Pedaparimi, Tulluru Mandal, Guntur District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate Writ or order or direction, declaring the action of the 1st respondent in assigning the job of enquiry on the application dated 04-08-2004 to the 2nd respondent as unjust and contrary to law and consequently direct the 1st respondent to conduct independent enquiry with the help of any other revenue Official, if necessary, other than the respondents 2 to 3 in the interest of justice, by refraining the respondents 2 to 5 from interfering with the possession and enjoyment of the petitioner in respect of Ac 1.11 cents of land in

Survey No.715/C of Turakapalem, Nallapadu Village, Guntur District, till disposal of the application by the 1st respondent.

Counsel for the Petitioner:MR.P.GIRISH KUMAR

Counsel for the Respondent Nos.1 to 3: GP FOR REVENUE

Counsel for the Respondent Nos.4 & 5: None

The Court at the stage of admission made the following ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for the respondent Nos.1 to 3.

Against the order passed by the third respondent-Mandal Revenue Officer, Guntur, it is stated that the petitioner filed a representation dated 04-08-2004 before the first respondent-District Collector, Guntur, which was forwarded to the second respondent-Revenue Divisional Officer, Guntur Division, for his remarks. Hence, the present writ petition.

It is needless to add that mere forwarding the representation of the petitioner to the second respondent for his remarks cannot be a ground to entertain the writ petition. It is also needless to add that the first respondent, before whom the representation is pending, is under obligation to decide the same as per Section 9 of the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971.

In view of the same, I do not see any ground to entertain the writ petition.

The writ petition is accordingly dismissed. No costs.

19th AUGUST, 2004.

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To

1 The District Collector, Guntur District, Guntur.
2 The Revenue Divisional Officer, Guntur Division, Guntur.
3 The Mandal Revenue Officer, Guntur Mandal, Guntur.
4 Two CCs to the Government Pleader for Revenue, A.P.High Court Buildings, Hyderabad.

5 Two CD copies.